

## CIVIL DOCKET

## UNITED STATES DISTRICT COURT

D. C. Form No. 106A Rev.

Jury demand date: 2-22-74, by Pltff.

withdrawn 1-28-76

## TITLE OF CASE

## ATTORNEYS

NELLIE ATKINS ARMSTRONG,  
Plaintiff,

vs.

MAPLE LEAF APARTMENTS, LTD.,  
A Limited Partnership; BROKEN ARROW  
MALL, INC., A Corporation; OWEN D.  
YOUNG and ROBERT L. LATCH, d/b/a  
YOUNG & LATCH INVESTMENTS, A  
General Partnership; FIRSTTUL MORT-  
GAGE COMPANY, A Corporation; SACK-  
MAN-GILLIAND CORPORATION, A  
Corporation; FIRST NATIONAL BANK &  
TRUST COMPANY OF TULSA, OKLAHOMA,  
A National Banking Association;  
and HAMILTON INVESTMENT TRUST,  
A Massachusetts Business Trust,  
ABERCROMBIE, PEDIGO and SMITH, inc.  
Defendants.

Ruskin F. Armstrong, husband  
of Nellie Armstrong and  
Manuel Brown (3rd pty defs.)  
C. A. Whitebook (3rd party deft)

H. Harold Becko, Additional Pty. Deft.  
Defendants

Royce H. Savage, (Chris Rhodes)  
Suite 914 (Maple Leaf & Broken Arrow  
World Building Mall)  
Tulsa, Oklahoma 74103

Chris L. Rhodes III (Maple Leaf & B.A. Mall)  
Suite 2900  
Fourth National Bank Building  
Tulsa, Oklahoma 74103

G. C. Spillers.  
217 West 5th  
Tulsa, Ok. 7

## COSTS

Clerk

Marshal

Docket fee

Witness fees

Depositions

J.S. 6 mailed 9-1-77

Basis of Action: Recovering  
possession of a tract  
of real estate.

Action arose at:

For plaintiff: *Ward 3rd pty deft*  
Jay C. Baker & C. Rabon Martin  
BAKER, BAKER & MARTIN (587-1168)  
Mayo Bldg., Tulsa 74103  
1850 S. Boulder

## For Defendant:

James F. Davis (for Hamilton Inv. Tr.)  
Andrews, Mosburg, Davis, Elam, Legg &  
1800 United Founders Tower Bixler,  
Okla. City, Ok. 73112 (405-272-9241)

Harry L. Seay III (Abercrombie, Pedigo  
805 NBT Bldg. & Smith  
Tulsa, OK 74103)

Wm. C. Anderson (C. A. Whitebook, 582-  
1200 Atlas Life Bldg. 74103 585-554)

Jms. D. Groves (Young & Latch Invstmt  
3223 East 31st St.  
Tulsa, OK 74105 (749-2279)

Douglas Inhofe  
L. J. Fulton - James R. Ryan  
2400 First Natl. Tower (James L.  
Tulsa, Okla. 74103 Kincaid  
(Firststl Mtg. Co. and First  
Natl. Bk. & Trust Co.) 586-5711

Charles A. Whitebook (Becko)  
Wright Bldg. 583-2626 (700 S. Fourth St.)  
Tulsa, Oklahoma 74103 74119

Dan Rogers (Hamilton Investment Trus t)  
117 E. 5th St., Tulsa, OK 74103  
583-5111

Alfred B. Knight (Young & Latch)  
310 Beacon Building  
Tulsa 74103

Erad Baker  
Robert H. Tips of Tips & Gibson  
Main Mall Building 585-1181  
Tulsa, Oklahoma 74103  
Abercrombie, Pedigo & Smith, Inc.)

Wm. D.  
Wright Bldg. 583-2626  
Tulsa, Ok 74103  
John R. Harlin, Jr. (Brown)  
Wright Bldg. 583-2626  
Tulsa, Ok 74103

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-22-74	1. COMPLAINT filed and summons issued. v	
2-22-74	2. <u>DEMAND FOR JURY TRIAL</u> , filed by Pltf. v	
2-25-74	3. NOTICE OF SUIT to the Area Dir. of the Muskogee, Okla. Area for the Five Civilized Tribes, filed and served by Marshal. jj	
3-4-74	Summons, ret. & filed: served First Natl. bk & Tr., First Tul Mortgage Co., Owen D. Young, & Young & Latch Investments, all on 2-25-74; served Robert L. Latch 3-1-74. (USM \$18.36)g	
3-4-74	Marshal's ret. on service of Notice of su <del>it</del> , filed: served Area Director for Five Civilized Tribes, Muskogee, 2-26-74. (USM \$4)g	
3-6-74	4. AMENDMENT to Complaint, filed. jj	
3-6-74	5. APPLICATION for Temporary Restraining Order and PI, filed by Plaintiff. jj	
3-7-74	U.S. Marshals Service ret. and filed. Executed by serving Maple Leaf Apartments, Ltd by serving C. O. Abercrombie, at Norman, Okla. on 3-4-74. (USM \$8.80) e	
3-11-74	6. Brief in Support of Application for Temporary Restraining Order and Motion for Preliminary Injunction, filed. e <i>Bryant J</i>	
3-13-74	7. Mot. for Preliminary Injunction, filed by Pltf. v <i>copy to me.</i>	
3-15-74	8. APPLICATION for Extension of Time to Plead or Ans. until 4-2-74 filed. jj	
3-15-74	9. ORDER, filed, granting 15 day ext. of time to plead or ans. from 3-18-74 (4-2-74). (JCS:CLK)jj	
3-15-74	MO. Hearing upon Preliminary Injunction set for 10:00 A.M. Thursday, April 4, 1974. s <i>copies mailed</i>	
3-15-74	Hearing held on TRO. Parties present as represented. Charles Whitebook, files, with permission of Ct., Special Appearance & Objection to jurisdiction of H. Harold Becko. Plaintiff orally presents facts related case and defendants stipulate as to such. Plaintiff asks Ct. to strike application for TRO & Ct. so grants. Ct. Sets hrg. on Prel. Inj. on thursday, 4-4-74, at 10:00 A.M. Briefs due in 10 days as to the question of jurisdiction. (AEB-J).s	
3-15-74	10. Special Appearance and objection to jurisdiction of H. Harold Becko, filed in open Ct. s	
3-19-74	11 Application of Young & Latch Investments for ext. of time to answer, filed. g	
3-20-74	12 Order granting defts. Owen D. Young & Robt. L. Latch, d/b/a Young & Latch Investments until 4-14-74 to answer, filed. (AEB-J)g <i>mailed</i>	
3-21-74	13. Pltf's Appl. <sup>w/ Mo.</sup> for Recording by other than stenographic means, for Taking of Depositions Upon Oral Examination, filed. e (o) <i>copies mailed</i>	
3-22-74	14. Order, filed, granting leave to take Dep. upon Oral Examination, (AEB-J)jj copies mailed	

(continued)

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: 2-22-74, by Pltf.

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS	
<p>NELLIE ATKINS ARMSTRONG, Plaintiff vs MAPLE LEAF APARTMENTS, LTD., A Limited Partnership; BROKEN ARROW MALL, INC., A Corporation; OWEN D. YOUNG and ROBERT L. LATCH, d/b/a YOUNG &amp; LATCH INVESTMENTS, A General Partnership; FIRSTTUL MORTGAGE COMPANY, A Corporation; SACKMAN-GILLIAND CORPORATION, A Corporation; FIRST NATIONAL BANK &amp; TRUST COMPANY OF TULSA, OKLAHOMA, A National Banking Association; and HAMILTON INVESTMENT TRUST, A Massachusetts Business Trust, ABERCROMBIE, PEDIGO and SMITH, INC., Defendants</p> <p>H. HAROLD BECKO, Additional Party Deft. RUSKIN F. ARMSTRONG, Husband of Nellie Armstrong, MANUEL BROWN, &amp; C. A. WHITEBOOK, 3rd Party Defts.</p> <p>Defendants</p> <p>* G. C. Spillers (Dr. Brown) 3836 S. Birmingham Pl. Tulsa, OK 74105 918/747-6967 and John K. Harlin, Jr. 1700-4th Natl. Bank Bldg. Tulsa, OK 74119 918/583-2626</p> <p>Royce H. Savage (Sackman-Gilliand Corp.) World Bldg., Suite 900 Tulsa, OK 74103 918/587-0000</p>		<p>For plaintiff &amp; 3rd Party Deft. Ruskin Armstrong Jay C. Baker &amp; C. Rabon Martin BAKER, BAKER &amp; MARTIN 1850 S. Boulder Tulsa, OK 74103 918/587-1168</p> <p>Defendants</p> <p>* Wm. C. Anderson (C.A. Whitebook) 1200 Atlas Life Bldg. Tulsa, OK 74103 (582-1211)</p> <p>James D. Groves (Young &amp; Latch Invest) 3223 E. 31st St., Suite 401 Tulsa, OK 74104 (749-7991)</p> <p>* Douglas Inhofe, James R. Ryan &amp; James L. Kincaid (Firstul Mtg. Co. &amp; 2400 First Natl. Tower First Natl. Bk. &amp; Trust Co.) Tulsa, OK 74103 918/586-5711</p> <p>Charles A. Whitebook (H. Harold Becko) 1700 Fourth Natl. Bldg. Tulsa, OK 74119 (583-2626)</p> <p>Dan Rogers (Hamilton Invest. Trust) 117 E. 5th St. Tulsa, OK 74103 (583-5111)</p> <p>Brad Baker (Abercrombie, Pedigo &amp; Robert H. Tips Smith, Inc.) FARMER, WOOLSEY, TIPS &amp; GIBSON 5th Floor, Mid-Continent Bldg. Tulsa, OK 74103 (585-1181)</p>	
STATISTICAL RECORD	COSTS		
J.S. 5 mailed 3-1-74	Clerk	Wm. H. Mattoon (Maple Leaf Apts. & 132 W. Main Broken Arrow Mall) Norman, OK 73069 (329-1333)	
J.S. 6 mailed 9-1-77	Marshal	* Wm. B. Jones (Young & Latch) 201 W. 5th St., Suite 400 Tulsa, OK 74103 (583-1115)	
Basis of Action: Recovering possession of a tract of real estate.	Docket fee		
	Witness fees		
Action arose at:	Depositions		

D.

Plaintiffs

(Plaintiff and 3rd Party  
Defendant Ruskin Armstrong)

Jay C. Baker & C. Rabon Martin  
BAKER, BAKER & MARTIN  
1850 S. Boulder  
Tulsa, Okla 74103  
Tel: 587-1168

Defendants

Wm. C. Anderson (C. A. Whitebook)  
1200 Atlas Life Bldg.  
Tulsa, Okla. 74103 (582-1211)

James D. Groves (Young & Latch  
3223 E. 31st Street Invstmts)  
Tulsa, Oklahoma 74104 (749-7991)

Douglas Inhofe, James R. Ryan &  
James L. Kincaid  
(Firstul Mtg. Co. and First  
Natl. Bk. & Trust Co.)  
2400 First Natl. Tower  
Tulsa, Oklahoma 74103 (586-5711)

Charles A. Whitebook (H. Harold Becko)  
1700 Fourth National Bldg.  
Tulsa, Okla. 74119 (583-2626)

Dan Rogers (Hamilton Investment Trust)  
117 East 5th Street  
Tulsa, Okla. 74103 (583-5111)

Brad Baker *mid-cont. Bldg.*  
Robert H. Tips of Tips & Gibson  
Tulsa, Okla. 74103 (585-1181  
(Abercrombie, Pedigo & Smith, Inc.)

Wm. H. Mattoon *Mattoon* (Maple Leaf Apts.)  
132 W. Main  
Norman, Okla. 73069 (329-1333)

Wm. B. Jones (Young & Latch)  
201 W. 5th Street  
Tulsa, Okla. 74103 (583-1115)

John K. Harlin, Jr. (Brown)  
~~4th Nat'l Bk. Bldg.~~ *2622 E. 21st*  
Tulsa, Okla. 74103 (583-2626)  
and *119 743-7714*

G. C. Spillers  
~~217 West 5th St.~~ *3836 So. Birmingham*  
Tulsa, Okla. 74105 (747-6967)

Royce H. Savage (Sackman-Gilliand  
Suite 914 Corp.)  
World Building  
Tulsa, Okla. 74103 (587-0000)

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-25-74	15. Application by defts. Maple Leaf Apts. & Broken Arrow's Mall for ext. of time within which to answer to complaint of pltf, with order granting said defts. until 4-8-74 to file answers, filed. (JCS-Clk)hm	
3-25-74	16. Brief in opposition to pltf's motion for preliminary injunction, filed. hm	
3-27-74	17. U.S. Marshal's Service ret. and filed. Executed by serving H. Harold Becko at Tulsa, Okla. on 3-19-74. (USM \$14.52) e	
3-28-74	18. Notice of depositions upon oral examination of F. A. Petrik and Father Roberts, filed. v	
3-29--74	19. Brief in Support of Motion for Consolidation and Advancement, filed. e	
3-29--74	20. Motion for Consolidation and Advancement, filed. e	
4-1-74	Summons, ret. & filed: served Hamilton Investment Trust, Boston, Mass., 3-26-74. (USM \$4.00)g	
4-2-74	21. APPL. for ext. of time to plead or ans. compl., filed by Defts., Firstul Mortgage Co. & 1st Ntl. Bnk & Trust Co of Tulsa. v (o)	
4-4-74	Case called for Prel. Inj. Hearing. Parties represented. Order Ext. time to Plead or Answer for Defts. Firstul Mortgage Co. & First National Bank until 4-17-74, signed and filed in open Court. Statements and Stipulations made. Plaintiff's witnesses sworn and testify; F. A. Pettrick, Nellie Armstrong. Plaintiff's Exhibits 1 & 2 offered and admitted. Parties to submit simultaneous Briefs within in ten days. Court takes ruling on Prel. Inj. under advisement. (AEB-J).s	
4-4-74	22. Order Extending time to Plead or Answer, for Defts. Firstul Mortgage Co. & First National Bank until 4-17-74, signed and filed in open Court. (AEB-J).s	
4-4-74	Exhibits on Prel. Inj. hearing filed.s <i>exh w/ pl.</i>	
4-8-74	23. Deft's Appl. for Order Extending Time to Plead, filed. e (o to j)	
4-8-74	24. MOTION for Summary Judgment, filed by Pltf. v (Affidavit of Pltf. attached.)	
4-8-74	25. Brief in support, filed. v	
4-9-74	MO: Ordered by the Court that Defts are granted 10 days from this date to respond to Pltf.'s Motion for Summary Judgment. (AEB-J)v	
4-9-74	26. APPL. of Deft., H. Harold Becko, for order extending time to plead, filed. v	
4-9-74	27. Order, filed, granting Deft. H. Harold Becko, until 4-23-74 within which to ans. compl. (JCS-CC)v -copies mld.	
4-9-74	28. Amended certificate of service re: Pltf.'s mot. for S/J, filed 4-8-74, filed. v	
4-10-74	Summons, ret. & filed: served Sackman-Gilliland Corp., Garden City, N.Y., 4-2-74. (USM \$10.00)g	

DATE	PROCEEDINGS	Date Order or Judgment Note
4-10-74	29 ORDER, filed, granting Maple Leaf Apartments, Ltd. and Broken Arrow Mall, Inc. until 5-8-74 to answer. (AEB-J)g	
4-11-74	30. Applic. of defts. Young & Latch for ext. of time to plead or answer, filed. hm	
4-12-74	Hearing held. Parties represented. Court reminds counsel that briefs are due 4-15-74. Hearing on decision on preliminary injunction set at 10:00 a.m. 4-19-74. Court states he would like parties to agree that after the decision on the preliminary injunction is made, neither pltf. nor defts. will take any further action in State Court or proceed in any way until an appeal is perfected, except for any hearings on preliminary motions to be heard in State Court on 4-15-74 or thereafter. Parties so agree & stipulate. (AEB-J)hm (Millie Ballard-CSR)	
4-15-74	31. Supplemental Brief in Opposition to Pltf's Motion for Preliminary Injunction, filed. e	
4-16-74	32. Suppl. brief in support of appl. for preliminary injunction, filed by Pltf. v	
4-15-74	33. Order filed, Granting Deft's Owen D. Young and Robt. L. Latch d/b/a Young & Latch Investments, a General Partnership Additional Time to Answer. (AEB-J)e cps mld.	
4-16-74	34. Appl. of Defts Firstul Mortgage Co. and 1st Nat'l Bank & Trust Co. of Tulsa for Extension of Time to Plead or Answer, filed. e (o to j) (granted to April 30, 1974)	
4-16-74	35. Order, granting defendants Firstul Mortgage Co. and First Natl Bank & Trust Co. of Tulsa, O'la to 5-17-74 to plead or answer, filed. (AEB-J) ds	
4-17-74	36. Addendum to Pltf's Suppl. brief in support of Appl. for Preliminary Injunction, filed. v	
4-17-74	37. Response and opposition to pltf's application for TRO and motion for preliminary injunction, filed. hm	
4-19-74	Case called for Decision on Preliminary Injunction. Parties present, and represented. Case reopened for further evidence from Plaintiff. Parties agree that regardless of decision by Court on Preliminary Injunction, either party has right to appeal decision made, & pending the appeal, no further action will be taken in State Court. Pltf's witness sworn; Harold M. Schultz, Jr. Plaintiff's exhibit 3 admitted into evidence. Parties rest. Court denies Plaintiff's motion for Preliminary Injunction. Parties to ask for a stay in State Court action pending ruling on appeal. (AEB-J).s	
4-19-74	Deposition of Robt. Dabrowski on behalf of pltf., filed. e	
4-19-74	Deposition of F. A. Petrik, on behalf of pltf., filed. e	
4-22-74	38 Notice of appeal by plaintiff, filed. g (copies to USCA & counsel)	
4-22-74	39 Bond for costs on appeal, filed. (\$250 cash)	
4-22-74	40 Designation of record on appeal, filed. g	
4-23-74	41. Appl. for ext. of time to plead or ans., fld. by Sackman-Gilliland Corp., Deft., filed. v (o to be in 4-24-74)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-25-74	42. Order granting deft. Sackman-Gilliland Corp. until 6-1-74 to plead or answer, filed. (AEB-J)g copies mailed	
4-26-74	43. Defendant's counterdesignations of record on appeal, filed. ds	
4-26-74	Reporter's Transcript of Proceedings Had on March 15, 1974 Hearing on Temporary Restraining Order, filed. e	
4-26-74	Reporter's Transcript of Proceedings Had on April 4, 1974 Decision on Motion for Preliminary Injunction, filed. e	
4-26-74	Reporter's Transcript of Proceedings Had on April 19, 1974, filed. e	
4-29-74	44. Defts' Young & Latch Application for Extension of Time to Plead or Answer, filed. e (o to j)	
4-30-74	45. Order, filed, granting defs. Young & Latch to 6/10/74 to ans. (AEB-J)rm	
5-2-74	46. Application of defendant H. Harold Becko for extension of time to plead, filed. ds (O to J)	
5-3-74	47. Order, filed, extending time to plead or answer to Deft. H. Harold Becko, until 6-10-74. (AEB-J)v	
5-3-74	48. Findings of Fact and Conclusions of Law, filed and entered. (AEB-J)rm	
5-3-74	49. Order, filed and entered, denying preliminary injunction. (AEB-J)rm	
5-6-74	50. Amended Pltff's Designation of Record on Appeal, filed.jj	
5-7-74	Transcript of proceedings of hearing held on 4/12/74, filed. (MLB-Ct.Rp.)rm	
5-7-74	Appeal record (5 volumes) transmitted to USCA. rm	
5-8-74	51. Application for Order Extending Time to Plead, filed.jj O to J	
5-10-74	52. Order, filed, ext. time to 6-7-74 for Maple Leaf Apts. Ltd. and Broken Arrow Mall, Inc. to answer. (AEB-J)g	
5-17-74	53. Application for Extension of Time to Plead or Answer, filed. e	
5-20-74	54. Order, filed, granting Firststul MortgageCo. and First National Bank & Trust Co. of Tulsa, until 6-16-74 to answer. (AEB-J)g copies mailed	
6-3-74	55. Appl. of defts. Maple Leaf Apt. & Broken Arrow Mall for ext. time.	
6-3-74	56. Order, filed, granting defts. Maple Leaf Apts. Ltd. and Broken Arrow Mall, Inc. until 7-7-74 to answer. (AEB-J)g	
6-6-74	57. Appl. of def. Becko for ext. of time to ans., filed. rm	
6-7-74	Deposition of Nellie Armstrong on behalf of deft. Becko, filed. (\$58.50)g	
6-7-74	58. Appl. of def. Sackman-Gilliland for ext. of time to ans., filed. rm	
6-10-74	59. Order, filed, granting Deft., H. Harold Becko until 7-10-74 to ans. (AEB-J)v (Whitebook to do mailing)	
6-10-74	60. Order, filed, extending time to plead or answer to deft. Sackman-Gilliland Corp. until 9-30-74. (AEB-J)v	
6-10-74	61. Appl. of Owen D. Young & Rbt. L. Latch, etc., for extension of time to plead or answer, filed. v (o)	



Sheet No. 3, Page No. 6

DATE	PROCEEDINGS	Date Order or Judgment Note
<del>6-10-74</del>	<del>62. Application of debts. Owen D. Young and Robert L. Latch for extension of time to plead or answer, filed. g</del>	
6-10-74	62. Order, filed, granting debts. Owen D. Young and Robt. L. Latch until 7-10-74 to file answer. (AEB-J)g copies mailed. of Defts. Firstul and 1st Nat Bank	
6-14-74	63. Application/for extension of time to plead or answer, filed. ds	O to J
6-18-74	64. Order granting debts. Firstul Mortgage Co. and First National Bk. & Trust Co. of Tulsa until 7-17-74 to plead or answer. (AEB-J)g	
7-8-74	65. Application for Order Extending Time to Plead, filed.k	O to J
7-9-74	66. Order, filed, granting Maple Leaf Apts. Ltd. and Broken Arrow Mall, Inc. until 8-6-74 to answer. (AEB-J)g	
7-10-74	67. APPLICATION for Ext. of Time to Plead or Ans. until 9-30-74, filed.by Deft. Becko.jj	O to J
7-10-74	68. Application for Ext. of Time to Plead or Answer until 8-10-74, filed by Defts. Owen D. Young and Robert L. Latch.k	O to J
7-10-74	69. Order, filed, granting Def. H. Harold Becko until 9-30-74 to Plead or Answer. (AEB-J)k copies mailed.k	
7-10-74	70. Order, filed, granting Defs. Owen D. Young & Robt. L. Latch until 8-10-74 to Plead or Answer. (AEB-J)k copies mailed.k	
7-12-74	71. Application by Defs. Firstul Mortgage Co & First Natl. Bank & Trust Co. for Extension of Time to Plead or Answer, filed.k	O to J
7-16-74	72. Order, filed, ext. time to 9-16-74 for debts. Firstul Mtg. Co. and First National Bk. & Trust Co. to plead or answer. AEB-J)g	
8-8-74	73. Appli. of debts Owen D. Young and Robt. L. Latch d/b/a Young and Latch Investments for extension of time to plead or answer, filed. lm	
8-9-74	74. Application of debts. Maple Leaf Apts, et al for order extending time to plead, filed. hm	O to J
8-12-74	75. Order, filed, that Defts., Maple Leaf & Broken Arrow Mall have to & including 10-7-74 to ans. complaint. (AEB-J)v	-copies mailed.
8-19-74	76. Order, filed, granting debts. Young and Latch d/b/a Young & Latch Investments to 9-10-74 to file answer. (AEB-J)g copies mailed.	
9-9-74	77. APPLICATION of Defts. Young and Latch, for Ext. of Time to Plead or Ans. until 10-10-74, filed. O to J	
9-11-74	78. Order extending time for debts. Young and Latch to answer to 10-10-74. filed. (FD-J for AEB)g	
9-26-74	79. Order, filed, extending time for debts. Firstul Mtg. Co and First Natl. Bk. etc. to plead or ans. to and including 10-16-74 (JCS-Clk)jj	
9-26-74	80. Appl. for ext. of time to plead or ans., fld. by Firstul Mortgage, et al. v (see pldg. no. 79)	

(continued)



D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
9-30-74	81. Application for extension of time to plead or answer, filed.k	o to I
10-2-74	82. Order, filed, extending Time to Plead or Answer until 11-4-74, jj	
10-7-74	83. Applic. for order extending time to plead, filed. hm	
10-7-74	84. Order extending time, filed, granting defts. Maple Leaf & Broken Arrow Mall until 11-4-74 to plead. (JCS-Clk)hm (copies mailed)	
10-8-74	85. Application of Defts. Owen D. Young & Robert L. Latch, etc., for extension of time to plead or answer, filed. v	
10-8-74	86. ORDER, filed, granting Defts. Young & Latch, etc., until 11-10-74 to ans. (JCS-CC)v -atty. to mail copies.	
10-16-74	87. Application for extension of time to plead or answer, filed by Defts. Firstul Mortg. & First Ntl. Bnk. v	
10-16-74	88. Order, filed, granting Defts. Firstul Mortg. & 1st Ntl. Bnk. until 11-15-74 to answer the complaint. (JCS-CC)v -copies mld.	
11-4-74	89. Application for Order extending time to plead, filed by Deft's Maple Leaf Apts. & Broken Arrow Mall, Inc. b	
11-5-74	90. Applic. of deft. H. Harold Becko for ext. of time to plead or answer, filed. hm	
11-5-74	91. Order extending time to plead or answer, filed, granting deft. H. Harold Becko until 12-10-74 to plead or answer. (JCS-Clk)hm (copies mailed) Owen D. Young & Rbt. L. Latch, d/b/a Young & Latch Inv	
11-6-74	92. Application of Deft's/for Extension of time to plead or answer, filed. b	
11-6-74	93. Appl. of Deft. Sackman-Gilliland Corp. for ext. of time to ans., filed. v	
11-6-74	94. Order, filed, granting Sackman-Gilliland until 11-30-74 to ans. (JCS-CC)v -atty to mail copies	
11-7-74	95. Order, filed, granting Maple Leaf Apts. Ltd, and Broken Arrow Mall, Inc. an ext. of time until 12-4-74 to ans. (AEB-J)jj copies mailed.	
11-12-74	96. Order, filed, granting defts. Owen D. Young & Robt. L. Latch dba Young & Latch Investments until 12-10-74 to file answer. (AEB-J)g cpies mailed.	
11-14-74	97. Appl. of Firstul Mortgage Co. & First Natl. Bank & Trust Co. of Tulsa for time til 12-16-74 to plead or answer, filed.k	o to I
11-19-74	98. Order Extending Time to Plead or Answer, (AEB-J) filed. js (of Firstul Mortgage Co. & First National Bank)	
12-3-74	99. Application of defts. Maple Leaf Apts. and Broken Arrow Mall, Inc. for ext. of time to answer pending decision of appeal court, filed. g	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-4-74	100. Order, filed, granting Maple Leaf & Broken Arrow til 1-6-75 to ans. (AEB-J)k cps mld of H. Harold Becko	
12-9-74	101. Application/for Ext. of Time to Plead or Ans. until 1-9-75, filed.jj O to J	
12-9-74	102. Order, filed, granting deft. H. Harold Becko until 1-9-75 to plead or answer. (AEB-J)g	
12-9-74	103. Appl. for extension of time to plead or answer, filed by Defts. Owen D. Young and Robert L. Latch, d/b/a Young & Latch Investments. v (o)	
12-11-74	104. Order, filed. granting defts. Owen D. Young and Robt. L. Latch dba Young & Latch Investments until 1-10-74 to answer.(AEB-J)g	
12-16-74	105. Appl. of Firstul Mortgage Co.& First Natl. Bank & Trust Co. of Tulsa for time to ans. until 1-15-75, filed.k	
12-17-74	106. Order, filed, granting Firstul Mortgage Co. & First Natl. Bank & Trust Co. of Tulsa until 1-15-75 to ans. (AEB-J)k cps mld	
12-31-74	107. MOTION for appointment of receiver, filed. lm	
12-31-74	108. BRIEF in support of motion for appointment of receiver, filed. lm	
12-31-74	MO: Ordered by Court that defendants are given ten days from this date to file a response to plaintiff's Motion for Appointment of Receiver.(AEB-J)	
1-3-75	109. Order, filed, setting mot. for appointment of receiver for hearing on 1-15-75 at 10:45 a.m. (AEB-J)k cps mld	Gay Baker
1-6-75	110. Letter, filed, from Jay Baker of 1/3/75 notifying all parties of hrg. on appt. of receiver for 1/15/75 at 10:45 a.m. rm	
1-6-75	111. Appl. of defs, Maple Leaf and B.A. Mall for ext. of time to plead or ans., filed. rm	
1-7-75	112. Appl. for ext of time til 2-7-75 to plead or ans., filed by Deft. H. Harold Becko. k	
1-10-75	113. Appl. of Defts. Owen D. Young & Robert L. Latch for time til 2-10-75 to plead or ans., filed.k	
1-10-75	114. Order, filed, granting Maple Leaf Apts. & Broken Arrow Mall, Inc. til 2-5-75 to answer. (AEB-J)k cps mld	
1-10-75	115. Order, filed, granting Deft. Becko til 2-7-75 to answer. (AEB-J)k cps mld	
1-10-75	116. Response of Maple Leaf Apts., Broken Arrow Mall, Young & Latch, Firstul Mortgage Co., First Natl. Bank & Trust of Tulsa, OK, and H. Harold Becko to mot. for appt. of receiver, filed.k	
1-13-75	117. Order, filed, granting Latch & Young til 2-10-75 to ans. (AEB-J)k	
1-15-75	118. Entry of appearance on behalf of Hamilton Investment Tr., filed.g	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-15-75	119. Appl. of defts. Firstul Mtg. Co. and First Natl. Bk & Tr. for ext. of time to answer, filed. g	
1-15-75	120. Motion of deft. Hamilton Investment Trust for additional time to file pleadings, and ORDER granting deft. an extention of 45 days to and including 2-28-75 to file answer, filed. (AEB-J)ds	
1-15-75	Case called for hearing on pltf.'s motion for appointment of receiver. Parties represented by counsel. Witness sworn and testifies. Deft. Young & Latch Inv. moves to strike the testimony of Mary Darnell. Court allows testimony. Pltf's exhibits 5 through 10 offered into evidence. Deft. Young & Latch Inv. objects to admission of exhibits 6 through 10. Obj. overruled and Court allows admission of exhibits. Parties stipulate to place pltf. on insurance policies by 1-17-75. Court advises settlement and recommends defts. appoint one spokesman. Counsel Mattoon granted five days to find out if deft. Broken Arrow Mall will pay taxes for 1973. Parties are directed to file briefs within 10 days on the question of jurisdiction by the Court while there is an interlocutory appeal pending. It is ordered by the Court that the hearing is continued to 1-29-75 at 10:00 a.m. (AEB-J)k	
1-16-75	121. Order, filed, granting defts. Firstul Mtg. Co. and First Natl. Bk. & Trust of Tulsa until 2-14-75 to plead or answer. (AEB-J)g	
1-23-75	122. APPLICATION to make second amendment to complaint, filed. lm	
1-23-75	123. Pltf's Brief on jurisdiction to appoint receiver pending interlocutory appeal, filed. lm	
1-24-75	124. BRIEF of deft. Young & Latch Investments, in opposition to pltf's motion for appointment of receiver, filed. lm	
1-24-75	125. SECOND AMENDMENT TO COMPLAINT to name additionalpty deft. to this action Abercrombie, Pedigo and Smith, Inc., filed. lm	
1-24-75	126. ORDER allowing amendment of complaint, filed (AEB-J) lm cps mld.	
1-29-75	Case called for continued hearing on appointment of receiver. Parties present. Plat of property admitted as Exhibit 1 for Deft. Young & Latch. Pltf. announces that they withdraw motion for appointment of receiver, without prejudice. Hunington Inv. will continue operating apts., with net income from apts. to be deposited with Court Clerk for payment of taxes. Order to be prepared within 10 days by pltf. and submitted to court for approval. (AEB-J)b	
2-4-75	Summons, ret. & filed: served Abercrombie, Pedigo & Smith, Inc., Norman, Okla. 1-30-75. (USM \$13.80)g	
2-4-75	127. Cross-Complaint by Abercrombie, Pedigo and Smith, Inc., filed. lm	
2-5-75	128. APPLICATION of defts. Maple Leaf Apt. etc. & Broken Arrow Mall, Inc. for Order Extending Time to Plead until 3-7-75, filed. O to J	
2-6-75	Return on U.S. Marshall's Service, Summons, filed. Served Area Director of 5 Civilized Tribes on 2-5-75 with fees of \$4.00. v	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
2-6-75 129	Order, filed, granting Maple Leaf Apts. Ltd. and Broken Arrow Mall, Inc. until 3-7-75 to answer. (AEB-J)g <i>modified</i>	
2-7-75 130	Defts. Owen D. Young and Robert L. Latch APPLICATION for extension of time to plead or answer, filed. lm (o to J)	
2-7-75 131	Deft. H. Harold Becko's APPLICATION for extension of time to plead or answer, filed. b O to J	
2-7-75 132	Order, filed, Granting defts. Young and Latch until 3-10-75 to file answer. (AEB-J)g <i>modified</i>	
2-7-75 133	Order, filed, granting deft. H. Harold Becko until 3-7-75 to plead or answer. (AEB-J)g <i>modified</i>	
2-20-75 134	Appl. of defts. Firstul Mortgage Co. & First Natl. Bank & Trust for 30 days from 2-14-75 to plead or ans. , filed.k <i>O to J</i>	
2-21-75 135	Order, filed, granting defts. Firstul Mtge. Co. and First Natl Bk. & Tr. Co., until 3-17-75 to plead or answer. (AEB-J)g <i>modified</i>	
2-25-75 136	Application of Defts' Owen D. Young & Robt. L. Latch d/b/a Young & Latch Invest. for Extension of time to plead or answer to 4-10-75, filed. b <i>O to J</i>	
2-25-75 137	Order, filed, granting Young & Latch til 4-10-75 to ans.. (AEB-J)k cps mld	
2-25-75 138	Pltf's Interrogatories to Defts., filed.jj	
2-25-75 139	Appl. of Defts. Maple Leaf Apts., Ltd., & Broken Arrow Mall, Inc., for Order Extending Time to Plead, filed. v (o)	
2-27-75 140	Appl. of deft. Hamilton Investment Trust for time til 3-10-75 to ans., filed.k <i>O to J</i>	
2-27-75 141	Pltf's response to appls. of defts. for exts. of time to ans, filed.k <i>Cps to Nick</i>	
2-28-75	MO: Ordered that defts. are granted 7 days from this date to respond to pltf's response to appls. of defts. for exts. of time to answer. (AEB-J)g	
2-27-75 142	Order, filed, appointing Will Mattoon trustee in possession of Lot 1, Blk 2, that the Trustee suspend all mortgage pmts. to Sackman-Gilliand Corp., make no other pmts. than those authorized by Court, and file a monthly accounting with Court Clerk. (AEB-J)g <i>modified</i>	
2-27-75 143	Order, filed, granting deft. Hamilton Investment Trust until 3-10-75 to answer. (AEB-J)g <i>modified</i>	
3-5-75 144	Mandate and Opinion of USCA reversing judgment of 5/3/74, and remanding for further proceedings, filed and spread of record. Judge Lewis dissenting. rm	
3-5-75 145	Statement of Costs of USCA, in favor of pltf.-appellant, Nellie Atkins Armstrong, and against defs., in amt. of \$548.60, filed and taxed. rm	
3-7-75 146	Order, filed, granting Maple Leaf Apts. & Broken Arrow Mall, Inc. until 3-7-75 to answer cross complaint of deft. Abercrombie, Pedigo & Smith, Inc. (AEB-J)g	
3-7-75 147	Bill of Costs, filed. Hrg. to be 3-19-75 at 10:00 A.M. v	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-7-75	148. Stipulation as to Time to Answer, filed. O to J jj	
3-10-75	149. Order granting all parties hereto until 3-31-75 to file answers, filed. (AEB-J)g	
3-13-75	150. February report of Trustee in possession, filed. g	
3-14-75	151. Maple Leaf Apts. Ltd. & Broken Arrow Mall, Inc. answers to interrogatories by pltf., filed. g	
3-18-75	152. Appl. of Pltf. to w/drawl appeal bond, filed. v (o)	
3-19-75	MO: Ordered that cost hrg. set for 3/19/75 is stricken.(JCS-Clk)rm	
3-20-75	153. Order, filed directing Clerk to disburse appeal bond. (AEB-J)g	
3-27-75	154. Answers to Plf's Interrogatories By Deft, 1st Nat'l Bank & Trust Co of Tulsa, Okla., filed. mm	
3-27-75	155. Answers to Plf's Interrogatories by Deft. Firstul Mortgage, filed. mm	
3-31-75	156. Defts' Young & Latch, et al applic. for extension of time to file answer, filed. b O to J	
3-31-75	157. Answer of Defts' Maple Leaf Aptmts, Ltd., Broken Arrow Mall, Inc. & Sackman-Gilliland Corp., filed. mm	
4-2-75	158. Ans. to Pltf's Interrogatories by Owen D. Young and Robert. L. Latch, etc., filed.jj	
4-3-75	159. Deft. Hamilton Invest. answer to amended complaint, & cross-claim, filed. b	
4-3-75	160. Order, filed, granting defs., Young & Latch, to 4/4/75 to ans. (AEB-J)rm - copies to pltf. & Al Knight	
4-4-75	161. Answer of Owen D. Young & Robert L. Latch d/b/a/ Young & Latch Investments, filed. mm	
4-4-75	162. Answer of defts. Firstul Mortgage Co. and the First Nat'l. Bank and Trust Co. of Tulsa, filed.lm	
4-7-75	MO: IT IS ORDERED that the Defts. are granted 10 days w/in which to respond to Pltf.'s Mot. for Summary Judgment. (AEB-J)v	
4-8-75	163. March Report of Trustee in Possession, filed.jj	
4-8-75	164. Third party complaint by def., Hamilton Inv., against 3rd party defs., Ruskin F. Armstrong, husband of Nellie Atkins Armstrong, and Manuel Brown, filed. rm	
4-9-75	Summons issued on 3rd party complaint. rm	
4-9-75	165. <u>Reply</u> of pltf. to counter-claim of defs., Abercrombie, Pedigo & Smith, and <u>motion to dismiss</u> said counter-claim, filed. rm	
4-9-75	166. Brief of pltf. in support of mo/dismiss counterclaim of def., Abercrombie, etc., filed. rm	
4-9-75	MO: Ordered by the Court that def., Abercrombie, Pedigo, and Smith, Inc. are granted 10 days in which to respond to mo/dismiss their counterclaim, filed by pltf. herein. (AEB-J)rm-letter written	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-14-75	U.S. Marshal's service ret. & filed. Executed by serving	
4-14-75	Ruskin F. Armstrong in Broken Arrow, Ok, on 4-8-75.(USM \$7.20) b	
4-14-75	Third Party Summons, ret. & filed: served Dr. Manuel Brown, Tulsa, Ok.	
4-14-75	4-14-75. (USM \$4.44)g	
4-15-75	Appl. of def., H. Harold Becko, for add. time to file response to	
4-15-75	pltf. mo/SJ and to ans. complaint, filed. rm	
4-15-75	Pltf's Alternative R enewal of Application for REceiver, filed. b O to J	
4-15-75	Appl. of defs., Young & Latch, for ext. of time to respond to pltf.	
4-15-75	mo/SJ, filed. rm	
4-15-75	Appl. of def., Hamilton, for ext. of time to respond to pltf. mo/SJ,	
4-15-75	filed. rm	
4-17-75	Appl. for Extension of Time to Respond to Plf's Motion for Summary	
4-17-75	Judgment, filed. mm	
4-17-75	Appl. for extension of time to file response, fld. by Deft. Maple Leaf Apts,	
4-17-75	Broken Arrow Mall and Sackman-Gilliland Corp. v (o)	
4-18-75	Appl for Enlargement of Time to Plead, filed. mm (Appl. Filed by	
4-18-75	Abercrombie, Pedigo & Smith, Inc., one of the defts)	
4-22-75	Orders, filed, granting all defts. until 5-2-75 to respond to pltf's	
4-22-75	Motion for S/J. (AEB-J)k cps mld	
4-22-75	MO: It is ordered that no further extensions of time to respond to	
4-22-75	pltf's mot. for S/J or to ans. pltf's compl. will be granted	
4-22-75	after the extensions filed this date. (AEB-J)k cps mld	
4-22-75	Release and satisfaction of judg. by pltf. of appeal costs entered	
4-22-75	in her favor from interlocutory appeal to 10th Cir., filed. rm	
4-23-75	Order for hearing pltf's alternative renewal of application	
4-23-75	for appointment of receiver on May 7, 1975, at 11:00 A.M.(AEB-J)b cps mld.	
4-23-75	MO: It is ordered by the court that the parties file simultaneous	
4-23-75	briefs on the plaintiff's alternative renewal of application	
4-23-75	for Receiver by May 2, 1975.(AEB-J)b lts mld	
4-25-75	Amended answer of defs., Young & Latch dba, to complaint, filed. rm	
4-25-75	Cross-Claim of defs., Young & Latch, against defs. Maple Leaf, B.A.	
4-25-75	Mall, Becko, and pltf., Nellie Armstrong, filed. rm	
4-30-75	RESPONSE to pltf's motion for S/J, filed. lm	
4-30-75	AFFIDAVIT of Charles A. Whitebook in support of defts' response to	
4-30-75	pltf's motion for S/J, filed. lm	
5-1-75	RESPONSE of Owen D. Young and Robert L. Latch, d/b/a Young & Latch	
5-1-75	Investments, to pltf's alternative renewal of application for re-	
5-1-75	ceiver, filed. lm	
5-1-75	SUPPLEMENTAL RESPONSE of Owen D. Young and Robert L. Latch, d/b/a	
5-1-75	Young and Latch Investments, a General Partnership, to pltf's motion	
5-1-75	for S/J and Brief in support thereof, filed. lm	
5-2-75	Amended Certificate of Service, filed. lm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-2-75	ANS. of deft. H. Harold Becko to Cross-Claim of Young & Latch Investments; Ans. of Deft. H. Harold Becko to Cross-Claim of Hamilton Investment Trust; Counterclaim against pltf. and Cross Claim against 3rd pty deft, filed. lm	
5-2-75	Sep. Ans. and Counterclaim of deft. H. Harold Becko, filed. lm	
5-2-75	Third party Complaint, filed. lm	
5-2-75	APPLI. for order extending time to plead by 3rd pty deft. Manuel Brown, filed. lm	
5-2-75	ORDER extending time, filed. (JCS-Clk)lm	
5-2-75	Supplemental Response of deft. H. Harold Becko to pltf's motion for S/J, and BRIE in support thereof, filed. lm	
5-1-75	APPLICATION of Owen D. Young and Robt. L. Latch, d/b/a/ Young & Latch Investments, a general partnership, to add 3rd pty defts. and to file a Third Pty Complaint, filed. lm (O to J)	
5-5-75	Ret. on Service of Writ, filed, served Ruskin F. Armstrong at SE 91st St. S. & Lynn Land Road, Broken Arrow, Okla. by cert. mail on 5-2-75; and also a true and correct copy of 3rd pty Complaint with original Complaint to Ruskin F. Armstrong in care of his atty, Jay C. Baker by mail.lm	
5-5-75	Order, filed, permitting Young and Latch, a partnership, to add Third Party defendants and to file a third party complaint.(AEB-J)g	
5-7-75	Third Party Complaint (of Young & Latch) filed. js	
5-7-75	Case called for hearing on pltf's alternative renewal of application for appointment of receiver. Parties present. Parties agree to pass hearing. Deft. Maple Leaf & Broken ARrow Mall given 5 days to file third party complaint and Pltf will be given 10 days after that date to answer to 3rd party complaint. Hearing to be set on pltf's alternative renewal of applic for appoint. of receiver & hearing on motion for S/J on 5-21-75, at 10:30 A.M.(AEB-J)b	
5-8-75	Notice of hearing on pltf's alternative renewal of application for appointment of receiver & hearing on the motion for Summary Judgment on May 21, 1975, at 10:30 A.M.(AEB-J)b nts mld	
5-7-75	Response of Abercrombie, Pedigo and Smith to Pltf.'s Mot. to Dismiss Counter-Claim, filed. v	
5-7-75	Brief in support, filed. v	
5-9-75	Pltf's Reply Brief on Motion for S/J, filed. lm	
5-13-75	April Report of Trustee in possession, filed k	
5-14-75	Motion of pltf. to dismiss, w/brief incorporated therein, filed.rm Ct. II of Young & Latch counterclaim	
5-15-75	MO: Ordered by the Ct. that all defs. respond to pltf. mo/dismiss Ct. II of counterclaim of Young & Latch w/brief, if opposed within 10 days from this date. (AEB-J)rm-letter	



DATE	PROCEEDINGS	Date Order or Judgment Note
5-15-75	Plaintiff's Brief on Accounting, filed. b <i>copy to [unclear]</i>	
5-15-75	Appeal record (5 volumes) received from USCA. rm	
5-15-75	Affidavit in support of response by Maple Leaf Apts., Ltd. to Pltf.'s Mot. for Summary Judgment, filed. v	
5-16-75	Exhibits to affidavit in support of motion for Summary Judgment, filed. b <i>copy to [unclear]</i>	
5-19-75	Motion for extension of time by Third Party Deft., Manuel Brown, to file answer to Third Party Complaints of Hamilton Investment Trust and Young & Latch Investments, filed. v (o)	
5-21-75	Case called for hearing on Pltf's motion for summary Judgment & renewed application for appointment of reciever..Mr. Mattoon, Tr., in possession of the apartment complex, reports he has some \$26,000 cash on hand. Court orders that he pay the 1973 property taxes & file a report with the Court reflecting such payment when accomplished. Defts' request a recess to confer in the conference room. Court recessed until 2:00 P.M. Court reconvened at 2:00 P.M. & Pltf announces that she rejects offer of settlement made by Defts. Court directs that if it does order reconveyance that the total purchase price, plus int. compounded from the date of sale to date of reconveyance, be impounded with the Clk. of N.D.O. Court appoints Walton Clinton, Warren Morris & Shelton Detrick as appraisers, to appraise property as to value on date of sale; the value of property at time of filing litigation, without improvements; the value of property at time of filing the litigation, with improvements. James Groves to draw the order. By agreement of parties, Court appoints Mr. Latch to serve as reciever of shopping center & continued Mr. Mattoon as Tr. in possession the apartment complex. Pltf. first objected, then withdrew objection. Bill Jones announced in open court that he would, within 10 days, file a formal request for the convening of Three-Judge Court. Court orders trial briefs, simultaneous, to be filed by Monday, June 9, 1975. The hearing on motion for summary judgment was continued to 6-18-75, at 2:00 P.M.(AEB-J)b	
5-22-75	Order extending time to & including 6-9-75, for 3rd party Deft. Manuel Brown to plead or answer to 3rd party complaints of Hamilton Invest Tr. & Young & Latch, filed.(AEB-J)b cps mld	
5-23-75	APPLI. for ext. of time to respond to pltf's motion to dismiss Count II of the counterclaim of Young & Latch Investments, filed. lm	
5-29-75	Order, filed, ext. time to 6-4-75 for Young & Latch to respond to pltf's mot. to dismiss Count II of counterclaim, filed. (AEB-J)g	
5-29-75	MO: Ordered by the Court that Bill Jones is given an extension of 1 week to file formal request for the convening of 3-Judge Court (6-5-75)(AEB-J)b	
6-4-75	Response of def. Young & Latch, to pltf. mo/dismiss, w/brief, filed.rm	

*acty. [unclear] 5/26/75*

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-5-75	Order on pltf's alternative renewal of appl. for Receiver, filed; Robert L. Latch appointed Trustee in possession of Lot 2, Block 2, Maple Leaf Addition; that Trustee in possession suspend mortgage pmts. to First National Bank & Tr. Co. of Tulsa, and make no pmts. other those authorized herein without leave of Court; that Trustee shall file with Ct. Clerk a monthly accounting of receipts and disbursements. (AEB-J)g cpies mailed	
6-6-75	Appl. of defs. & cross-complainants, Young & Latch, to file amendment to amended answer and amended cross-claim, filed. rm	
6-6-75	Appl. of defs. & cross-complainants, Young & Latch, for 3-Judge District Court Panel, filed. rm	
6-6-75	Order, filed, permitting defs., Young & Latch, leave to file amendment to amended answer and cross-complaint. (AEB-J)rm-copies mailed	
6-6-75	Order, filed, extending time for defs., Young & Latch, to file brief in support of appl. for 3-judge panel. (AEB-J)rm-copies mailed	
6-6-75	Amendment to answer and cross-claim of defs., Young & Latch, filed. rm	
6-9-75	Memorandum trial brief of pltf., filed. hm	
6-6-75	Application of Trustee in possession to enter into lease and make leasehold improvements, filed. g	
6-6-75	Order, filed, authorizing Trustee in possession to enter into lease and make certain leasehold improvements. (AEB-J)g cpies mailed.	
6-9-75	Mot. for extension of time by Third Party Deft., Manuel Brown, to file answer to Third Party Complaints of Hamilton Investment Trust and Young & Latch Investments, filed. v (6)	
6-11-75	Order, filed, that Third Party Deft., Manuel Brown, is granted until 6-17-75 to ans. Third Party Compls. of Hamilton Investment Trust & Young and Latch Investments. (AEB-J)v	
6-11-75	Suppl. Brief of Defts. reconstitutional question, filed. v	
6-11-75	Appl. for ext. of time for Deft. Maple Leaf Apts., et al. to ans. Cross-Compl. of Abercrombie, et al., filed. v -o as part of orig. pldg. all to J.	
6-13-75	May Report of Trustee in Possession, filed. v	
6-13-75	Brief of Cross-Complainants, Owen D. Young and Robert L. Latch in Support of Application for Three-Judge Court, filed. lm	
6-16-75	MO; It is ordered by the Court that pltf. is given 10 days from this date to file a responsive brief to Brief of Cross-Cpmlainants Owen D. Young and Robert L. Latch in Support of Application for Three-Judge Court. (AEB-J)lm ltrs mld.	
6-16-75	Order, filed, apptg. Walton Clinton, Warren G. Morris and Sheldon Detrick appraisers; costs incurred by appraisers, including fees to be borne 1/2 by Pltf. and 1/2 by deft.; hearing con't. until 6-18-75 at 2 p.m. (AEB-J)g <i>et al. appraisers</i>	

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-16-75	Application for Judgment by Cross-Complainant, Abercrombie, Pedigo & Smith, Inc, filed. mm	
6-16-75	Brief in Support of Application by Cross-Complainant, Abercrombie, Pedigo & Smith, filed. mm	
6-16-75	Trial Brief of Defendant Cross-Petitioner Abercrombie, Pedigo & Smith, Inc., a Corporation, filed. mm	
6-17-75	Order, filed, authorizing Trustee in Possession to pay ad valorem taxes. (AEB-J)g cpies mailed.	
6-17-75	Order, filed, (part of appl. filed 6-11-75), granting defts. Maple Leaf Apts., Broken Arrow Mall, Inc. and Sackman-Gilliland Corp. until 7-11-75 to file answers to Cross Complaint of Abercrombie, Pedigo & Smith, Inc. (AEB-J)g cpies mailed	
6-17-75	Answer of 3rd Pary defendant, Manuel Brown, to 3rd Party complaint of Young & Latch Investments, a General Partnership Answer of 3rd Party Defendant, Manuel Brown, to 3rd Party Complaint of Hamilton Investment Trust Cross-Claim of Manuel Brown againts Ruskin F. Armstrong, 3rd Party Defendant, filed.mm	
6-18-75	MO: The Court, having on June 17, 1975, granted the Defts, Maple Leaf Apartments, Ltd., Broken Arrow Mall, Inc. & Sackman-Gilliland Corp. 30 days to answer the cross-complaint of Abercrombie, Pedigo & Smith, Inc., & Abercrombie, Pedigo & Smith having agreed to withdraw their application for a default judgment against said named defts., IT IS THEREFORE, ORDERED that said motion for default judgment is overruled as now being moot.(AEB-J)b lts mld	
6-23-75	BRIEF of pltf. in opposition to appli. for 3-Judge Court, filed. lm	
6-23-75	Plaintiff's Motion to Deny Request for Three-Judge Court, filed. mm	
6-23-75	MO: It is ordered by the Court that the defendant file a responsive brief within 10 days to the Motion to Deny Request for Three-Judge Court. (AEB-J) cps mld mm	
6-24-75	Receiver's Bond in sum of \$25,000.00, filed: Robert L. Latch, principal, and American Employers' Insurance Co/, surety; approved by Allen E. Barrow, Judge. g	
7-9-75	Responsive Brief of Cross-Complainants, Owen D. Young and Robt. L. Latch to Mtn. of Pltf. to Deny Appl. for 3 Judge Court., filed.jj	
7-11-75	Answer of defts. Broken Arrow's Mall, Inc. & Maple Leaf Apts. to cross complaint filed by Abercrombie, Pedigo & Smith, Inc., and <u>Counter-Claim</u> , filed. g	
7-14-75	June Report of Trustee in Possession, filed. g	
7-14-75	Bond of Trustee in Possession, filed in sum of \$25,000.00, Will Mattoon principal & American Employers' Ins. Co., surety. g (approved by AEB-J)g	

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-14-75	Answer of Deft. Sackman Gilliland Corp. to Cross-Complaint by Abercrombie, Pedigo and Smith, Inc., filed. jj	
7-17-75	Letter of 7-16-75 from Jay C. Baker with Attorney-Employment Agreement, filed. g	
8-6-75	Order, filed, granting pltf. leave to file answers out of time. (AEB-J)g	
8-6-75	Answer of Third Party Deft. to 3rd Party Comp. of Manuel Brown, filed. g	
8-6-75	Answer of pltf. to cross claim of Young & Latch Investments, filed. g	
8-6-75	Answer of Ruskin F. Armstrong to 3rd Party Complaint of Hamilton Investment Trust, filed. g	
8-6-75	Answer of Third Party Deft. to Third Party Complaint of Young & Latch, filed. g	
8-8-75	July Report of Trustee in Possession, filed. g	
8-21-75	Reply and Answer of Abercrombie, Pedigo & Smith, Inc., to Answer & Cross Complaint filed by Defts. Broken Arrow's Mall, Inc. and Maple Leaf Apartments, Ltd., filed lm	
8-21-75	Appl. for order directing payment of taxes, filed. v	
8-25-75	Report of Appraisers, filed. lm	
8-25-75	Statement of Compensation for Appraisers (\$3800), filed. lm	
8-25-75	Affidavit of Prejudice of Attorney, Jay C. Baker, filed. mm	
8-27-75	MO: Case set for PT hearing 9-4-75 at 11:00 a.m. (AEB-J)k nts by cert ml	
8-27-75	Supporting Affidavit of Prejudice, filed by Pltf. v	
8-27-75	Order, filed, Overruling Application of Defendants & Cross-Complainants, Young & Latch Investments for a three-Judge District Court Panel and sustaining Plaintiff's Motion to Deny request for a Three-Judge Court. (AEB-J) cps mld mm	
8-27-75	Order, filed, Overruling Plaintiff's Motion for Summary Judgment. (AEB-J) cps mld mm	
8-27-75	Order, filed, Overruling Plaintiff's Motion to Dismiss Count II of Young & Latch Investments' Counter-Claim. (AEB-J) cps mld mm	
8-27-75	Order, filed, Overruling Plaintiff's Motion to Dismiss Cross-Complaint of Abercrombie, Pedigo & Smith, Inc. (AEB-J) cps mld mm	
8-29-75	MO: It is ordered by the Court that PT hearing is passed from 9-4-75, to 9-30-75, at 11:00 A.M. (AEB-J)b nts mld by cert ml.	
9-5-75	Reporter's Transcript of Proceedings had on 5-21-75, Hearing on Various Motions, filed. mm	
9-5-75	prejudice of Order, filed, treating affidavit of/plaintiff Nellie Atkins Armstrong, as a Motion to Recuse pursuant to 28 U.S.C.A Section 144 and denying same. (AEB-J) cps mld mm	
9-5-75	Cross-claim of def., Sackman Gilliland Corp. against defs., Broken Arrow's Mall, Inc. and H. Harold Becko, and pltf., Nellie Armstrong, filed. rm	
9-16-75	August Report of Trustee in Possession, filed. lm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-19-75	ANSWER of Deft. H. Harold Becko, to Cross-claim of Deft., Sackman Gilliland Corp, filed. b	
9-25-75	MO: Case is stricken from pre-trial docket of 9-30-75, pending determination by 10th Circuit Ct. of appeals of Pet. for writ of Mandamus, Prohibition or other extraordinary relief.(AEB-J)b nts by ltr from J	
10-16-75	September report of Trustee in possession, filed. g	
10-28	Appl of Robert L. Latch for Authorization to Expend Proceeds of Insurance for Repair of Damaged Premises, filed.jj atty. del. O to J	
10-29	Order, filed, authorizing Robert L. Latch to receive proceeds of insurance, to deposit same in special account w/ First National Bank & Trust Co. of Tulsa, OK, w/ withdrawal permitted solely to make payments for repair & restoration of fire damaged premises not to exceed amount of "loss proceeds" received by Latch. (AEB-J)k cps mld	
11-6-75	C.C. Order of 10th Circuit, denying petition of pltf. for writ of mandamus, filed and spread of record. rm	
11-11-75	October report of Trustee in possession, filed. tc	
12-1-75	MO: Case set for pre-trial hearing on Dec. 5, at 11:00 a.m.(AEB-J)tc <i>cps sent to Atty</i>	
12-2-75	MOT. OF the Defts for partial S/J., filed. tc	
12-2-75	Brief in support of defendants mot. for partial S/J., filed. tc	
12-2-75	MO: It is ord. by the court that Pltf. is granted 10 days from this date. to resp. to defts. <del>First National Mortgage Co., &amp; First National Bank &amp; Trust Co. of Tulsa</del> , Mot. for partial S/J.tc lt.mld.	
12-4-75	Pltf's response to defts' mo/partial S/J, filed. hm	
12-5-75	Pltf. Appl. for reimbursement from Trustees in possession,filed.tc	O-J
12-8-75	MO: It is ordered by the Court that Defendants Maple Leaf Apartments & Young and Latch Shopping Center are granted five days from this dt to respond to Pltf's. Appl for Reimbursement from Trustees in Possession. cps mld. tc	
12-11	Deft., Young & Latch Inv, Response to Pltf's Appl. for Reimbursement from Trustees in Possession, filed.tc	
12-11	November Report of Trustee in Possession, filed.tc	
12-12	Appl. of Defts.(Owen D. Young & Robert L. Latch,)& Cross-Complainants Ext. of Time to File Additional Motions,filed.tc O-J	
12-16	Order, filed, granting defts. Young and Latch until 1-10-76 to file addl. motions. (AEB-J)g cpies mld.	
12-19	Ordered that Clerk of this Court, pay out of the funds on deposit in the instant litigation, the 1974 Ad valorem taxes on Maple leaf, filed. (AEB-J)tc	
1976		
1-12	Mtn. of defts. for S/J, filed.jj	
1-12	Brief in Support of Defts' Mtn. for S/J, filed.jj	

## BARROW

D. C. 110A Rev. Civil Docket Continuation

Sheet #9, Page 20

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-13-76	December Report of Trustee in Possession, filed.jj	
1-13-76	Appl. of defs., Firstul and First Natl. to file cross-claims and counterclaim, filed. rm	
1-13-76	Order, filed, permitting defs. Firstul & First Natl. to file cross-claims and counterclaim.(AEB-J)rm - copies mailed	
1-14	Cross-Claim of Defts. Firstul Mtg. Co. and the First Natl. Bk. & Trust Co. of Tulsa against Defts. Youg & Latch, d/b/a Young & Latch Investments, Maple Leaf Apts. Ltd., Broken Arrow's Mall, Inc. and H. Harold Becko, filed.jj	
1-14	Counterclaim of Defts. Firstul Mtg. Co. and the First Natl. Bank and Trust Co. of Tulsa against Pltf. Nellie Atkins Armstrong, filed. jj	
1-15	MO: It is ordered by the Court that Pltf. is granted 10 days from this date to respond to Defts.Mtn. for S/J.(AEB-J)jj letter mailed	
1-16	Answer of Pltf. to counterclaim of Defts, Firstul Mortgage Company and the First National Bank & Trust Company, filed, ph	
1-26	Income & Expense Report for Dec., 1975, filed. g	
1-27	Request for hearing to settle pre-trial order, filed by pltf. t	
1-28	Pltf's response to mot. for S/J on constitutional issues, filed.k	
1-28	Pltf's withdrawal of demand for JT and request for trial setting on next available non-jury docket, filed.k	
2-9	MO: Case set for PT hearing on 3-16-76 at 10:00 a.m. (AEB-J)k ntc by cert ml	
2-12	January report of Trustee in Possession, filed. g	
3-9	February report of Trustee in Possession, filed.k	
3-16	Case called for pre-trial hearing. Parties represented. Parties agree to changes being made to PTO. Mr. Groves to prepare & send copies to all parties w/in 2 wks. Any objections to changes to be made in 10 days. Time for filing cross-claims or join new parties is 30 days; responses due in addit'l 30 days.(AEB-J)b	
4-7	March report of Trustee in Possession, filed. g	
4-12	Request for Admissions, filed by Pltf.jj	
4-14	March Report of Trustee in Possession, filed.t	
4-28	Reporter's Transcript of proceedings had on 3-16-76 (pre-trial hearing, filed. b	
4-28	Answers & Objections to Request for Admissions, fld. by 1st Ntl. Bnk. of Tulsa & Firstul Mortgage Co. v	
4-29	Separate Response of Young & Latch Investments to Pltf.'s request for admissions, filed. v	
5-3	Response of Deft., Sackman-Gilliland Corp., to Pltf's Request for Admissions, filed.t	

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-7-76	Deft. H. Harold Becko, Answers & Objections to Pltf's Request for admission, filed.t	
5-7-76	Response of Defts, Maple Leaf Apartments, LTD. & Broken Arrow Mall, Inc. to Pltf's Request for Admissions, filed.t	
5-10	Amendment to separate answer and counterclaim of deft. H. Harold Becko to complaint of pltf. as amended, and Cross-Claim of Becko against deft. Ruskin F. Armstrong, filed. g	
5-10	Amended Answer of 3rd pty deft. Manuel Brown to 3rd Party Complaint of Young & Latch Investments and Hamilton Investment Trust, and Amended Cross-Claims of Manuel Brown against deft. H. Harold Becko, C. A. Whitebook, and against Ruskin F. Armstrong, Third Party Deft., filed. g	
5-11	Return on summons, answer & cross-claim of deft. Brown against Deft. Ruskin Armstrong, filed. Deft. Armstrong served by cert. mail by Charles A. Whitebook, atty. for deft. Brown, on 6-19-75.k	
5-12	Nellie Atkins Armstrong, Renewal of Motion for Summary Judg., with brief apart of Motion., filed.t	
5-12	MO: It is ordered by the Court that Defendants are granted 10 days from this date to respond to Plaintiff's Renewal of Motion for S/J.(AEB-J)t cps mld.	
5-12	Third Party Compl., fld. Summons issued. v	
5-13	April Report of Trustee in Possession, filed.t	
5-13	Answer of Ruskin Armstrong to Amended Cross Claims of Mainuel Brown, filed.t	
5-13	Answer of Ruskin F. Armstrong to cross claim of H. Harold Becko, filed.t	
5-18	Response of Deft, Abercrombie, Pedigo & Smith, to Pltf's Request for Admissions, filed.t	
5-18	USM Return on service of Writ on G. C. Spiller, Jr. on the 12th of May, 1976, filed.t	
5-25	Order, filed, setting hearing on pltf's motion for summary judgment on 7-1-76 at 10:00 a.m. (AEB-J) Cps mld.s	
5-26	Defts'. response to pltf's. renewal of motion for summary judgment, filed.s	
5-27	Response of defendant Abercrombie, Pedigo & Smith, Inc. to pltf's renewal of mot. for S/J, filed.k	
6-2	Answer of third party deft. C. A. Whitebook to Third Party Compl. of Manuel Brown, filed.k	
6-4	MO: Hearing on pltf's motion for summary judgment set for 7-1-76 is stricken to be reset.(AEB-J)ph ltr mld.	
6-7	Pltf's request for trial, filed.k	
6-21	May report of Trustee in Possession, filed. g	
6-28	Pltf's second request for trial setting, filed.k cpy to MC	
7-6	Cps. of AEB ltr to Jay Baker of 7-2-76 mld to all attys of record.lm (per instru. MC)	



DATE	PROCEEDINGS	Date Order or Judgment Noted
1976		
7-2	Motion of third party def., C. A. Whitebook, for leave to file amended answer to 3rd party complaint, and supporting brief, filed (with proposed ans. attached). rm o l g	
7-12	June report of Trustee in possession, filed. g	
7-14	Order, filed, granting deft. Whitebook leave to file amended ans. (AEB-J)k cps mld	
7-14	Amended answer of third party deft. Whitebook to third party compl. of Manuel Brown, filed.k	
7-27	Pltf's third request for trial setting, filed.k cpy to MC	
8-10	Maple Leaf Center income & expense report for July, 1976, filed. g	
8-11	Order, filed, that all parties file their trial briefs on or before Friday, August 27, 1976, stating the complete theories relied on; and their conclusions and recommendations as to the equity questions raised by this litigation, including any and all case law in support of their theories and conclusions and recommendations. Ordered that said trial brief contain additionally interpretations and views of the parties concerning the meaning and intent of the opinion of the Tenth Circuit Ct. of Appeals previously handed down in this case. (AEB-J)s cps. mld.	
8-12	July report of Trustee in possession, filed.s	
8-20	Pltf's Fourth Request for Trial, filed.lm	
8-26	Order, filed, that the parties circulate and execute an agreed pre-trial order and present the same to the Court for signature within 10 days from 8-26-76. nb (AEB-J) cps mld	
8-27	Pltf's Trial brief, filed. b	
8-27	Defts' trial brief, filed. b	
9-7	Pre-trial Order, filed.s (AEB-J)	
9-8	August report of trustee in possession, filed.s	
9-10	Motion of Chris Rhodes to w/draw as atty of record for defts. Maple Leaf & Broken Arrow Mall, filed.k	
9-13	Order granting Rhodes, Hieronymus, Holloway & Wilson leave of the Court to withdraw as attys. of record for defts. Maple Leaf Apartments, Ltd. and Broken Arrow's Mall, Inc., filed.s (AEB-J) cps. mld.	
9-17	Pltf's motion to wind up receivership & brief in support thereof, filed.k	
9-20	MO: It is ordered by the Court that the Defendants file responsive brief within ten days to pltf's mot. to wind up receivership. (AEB-J)k cps mld	
9-20	Motion of Royce H. Savage to w/draw at atty. of record for defts. Maple Leaf Apartments, Ltd. and Broken Arrow's Mall, Inc., filed.lm	
9-21	Order, filed, granting Royce H. Savage leave to withdraw as counsel for defts. Maple Leaf Apts. Ltd & Broken Arrow Mall, Inc. (AEB-J)g	

DATE	PROCEEDINGS	Date Order or Judgment Noted
'76	Armstrong v. Maple Leaf	
9-23	Appl. for ext. of time of Defts. Owen D. Young and Robert L. Latch, etc., to respond to Pltf.'s mot. to wind up Receivership, fld. v -o as part of appl., all to J.	
9-23	Resp. of defts. Maple Leaf Apts., Broken Arrow's Mall, and Sackman-Gilliland Corp. to Pltf's motion to wind up Receivership, filed. ph	
9-27	Order, filed, granting defts. Owen D. Young and Robert L. Latch till 10-13-76 to file responsive brief to pltf's motion to wind up receivership.s (AEB-J) cps. mld.	
9-29	<del>Defts. Abercrombie</del> , Pedigo & Smith's application for extension of 20 days from 9-28-76 to file responsive brief to Pltf's motion to Wind up Receivership w/order attached granting extension to 10-18-76, filed.s (AEB-J) cps. mld.	
9-30	Deft. Hamilton Investments Trust's response to pltf's mot. to wind up receivership, filed.s	
10-13	September report of Trustee in Possession, filed. g	
10-13	Response of deft. Young & Latch Investments to pltf's mot. to wind up receivership, filed.s	
10-13	Response of deft. Abercrombie, Pedigo & Smith to pltf's mot. to wind up receivership, filed.s	
10-18	Response of deft. H. Harold Becko to pltf's motion to wind up Receivership, filed. lm	
11-15	October report of trustee in possession, filed.s	
11-29	Order, filed, that the motion to wind up receivership filed by the pltf. is overruled; and that the request for a hearing is is denied.s (AEB-J) cps. mld.	
12=9	Pltf's appl. for deposit of funds in interest bearing account, fld.k 0 to J	
12-13	November report of trustee in possession, filed.s	
12-14	Statement of income & expenses for Nov., 1976, filed. g	
12-29	Pltf's fifth request for trial, filed.s	
12-29	Pltf's amended application for deposit of funds in interest bearing account, filed.s 0 to J	
<u>1977</u>		
1-7	Order, filed, directing disbursement of funds and depositing same in interest bearing account.(AEB-J)rm-copies mailed	
1-12	Statement of income & expenses for December, 1976, filed. g	
1-18	December Report of Trustee in Possession, filed. lm	
2-10	Maple Leaf Center Income & Expense Report for January, 1977, fld. v	
2-15	January Report of Trustee in Possession, filed.s	
2-16	Pltf.'s 6th Request for Trial, fld. v	
3-7	Income & Expense report for Feb., 1977, filed. g	
3-16	February Report of Trustee in Possession, filed.k	

DATE  
1977

## PROCEEDINGS

DATE 1977	PROCEEDINGS	Date Order or Judgment Noted
3-31	MO: Case set for hearing on all pending motions & reconciliation of pre-trial orders. (AEB-J)b nts mld	
4-6	Income & expense report for March, 1977, filed. g	
4-7	Case called for hearing on all pending motion & reconciliation of pre-trial order. Parties rep. Mattoon report 1975 & 76 ad volorem taxes have been paid. Defts pending motion for S/J overruled. Pltf's applic for reimbursement for payment of 30 day binder - Ct. orders proof of payment be filed w/clerk. All parties agree to Non-Jury trial. Ct. grants Pltf. motion for N/J trial. Ct. overrules Pltf's motion for S/J in part. Evidence will be presented at trial. Ct. orders appraisers fees in amt. of \$3,800.00 be paid from funds held by trustees(2/3 -Tr. in poss. by shopping center; 1/3 - Tr. in poss. by Maple Leaf apt.) Allocation to be resolved at trial. All parties agree to PTO filed 9-7-76. Ct. advises parties of bifurcation of trial. Case set for trial on 5-18-77, at 10:00 A.M. Parties to file all Stipulations before trial date. Ct. to make ruling on Deft. Young & Latch's motion for S/J on constitution issues. Upon statements from counsel, Ct. orders Deft. counsel James Davis & Alfred Knight stricken as counsel. (AEB-J)b	
4-11	MO: Case set for Non-Jury trial on 5-18-77, at 10:00 A.M. (AEB-J)b nts mld w/affid.	
4-13	Order, filed, that defts' mot. for S/J pursuant to Rule 56 FRCP, based on constitutional issues concerning the 1947 Act, is overruled. (AEB-J)k cps mld	
4-14	March report of trustee in possession, filed. lm	
4-21	Reporter's transcript of proceedings had on April 7, 1977, Hearing on Motions and Pretrial orders. fld. with an extra copy. ho	
4-28	Pltf's list of witnesses, filed.k	
5-6	Pltf's exhibit affidavit, filed. b	
5-9	Deft. Owen D. Young & Robert L. Latch Appl. for change of Trial date. fld. ho	
5-11	Pltf. response to appl. for change of trial date. fld. ho	
5-12	Income and Expense Report for April, filed. lm	
5-12	April Report of Trustee in Possession, filed. lm	
5-12	D. Maple Leaf Apts & D. Broken Arrow's Mall appli. for change of trial date, filed. lm	
5-12	Joinder of additional Defts. in appl. for continuance. fld. ho	
5-16	Order, fld. granting Deft., Owen D. Young & Robert L. Latch, appl. for continuance resetting case to 6-1-77 at 10:00 a.m. (AEB-J) cps mld. ho	
5-16	Order, filed, directing Court Clerk to disburse \$1,400.00 to Walton Clinton, \$1,200.00 to Sheldon Detrick and \$1,200.00 to Warren G. Morris as appraisers' fees. (AEB-J)k cpy to Baker & cks to parties cpy to Groves	
5-18	Pltf's amended list of witnesses, filed.k	
5-23	Attys. correspondence concerning defts. witness list. fld. ho	
5-27	Deft. Owen D. Young & Robert L. Latch d/b/a Young & Latch Inv, et al and Atty. William B. Jones Affidavit & cps. of exhibits 1-23 fld. ho	
6-2	Copy of Transcript of trial proceedings had on 6-1-77, filed. (CSR-GRD) b	
6-2	Subs., ret. & filed: Nellie Atkins Armstrong and Ruskin Armstrong on 5-27-77, F. A. Petrik, 5-27-77; H. Harold Becko 6-1-77; unserved as to James W. Barry. (USM \$18.20)g	
6-3	Copy of transcript of trial proceedings had on 6-2-77, filed. (CSR-GRD) b	

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-6	Copy of transcript of trial proceedings had on 6-3-77, filed. (GRD-CSR) b to MC	
6-6	Case tried to Court on 6-1,6-2,6-3 & 6-6-77. Parties present & rep. Pltf. rep. by Jay Baker & Rabon Martin. Defts rep. by Wm. Anderson, James Groves, James Ryan, Charles Whitebook, Dan Rogers, Robert Tips, Wm. Mattoon, Wm. Jones, Royce Savage G. C. Spillers. Lead Counsel for Defts. Wm. Jones. Pltf. makes opening statement. Deft. defers open stat. til close of Pltf. case. Pltf. presents case in chief; witnesses sworn & testify. Defts' reserve right to file briefs re: atty. fees after Court's decision on case. Pltf. object. to testimony of Judge McDougal, overruled. Pltf. rests. Defts' motion for Judgment & Dismissal denied. Defts. make opening statement & present case in chief, witnesses sworn & testify. Defts. motion to conrom pldgs. as to evidence presented, sustained, & defts rest. Pltf's motion for Judgment at this time in favor of Pltf., overruled. Parties rest. Closing arguments made. Court orders parties to prepare Findings & Conclusions of Law & present to Court by 6-30-77 (not to be filed in case). Court will make ruling thereafter. (AEB-J)b	
6-6	Pltf's trial exhibits 1-8, 10-28, 30, & 31, filed. b In exhibit room	
6-6	Defts' trial exhibits 1-7, 11-22, 24-37, filed. b In exhibit room	
6-7	Copy of Transcript of trial proceedings had on 6-6-77, filed. (GRD-CSR) b to MC	
6-8	May report of trustee in possission. fld. ho	
6-13	Income & Expense Report for May, 1977, filed. g	
6-29	Defts. appl. for ext. of time to present Defts. proposed F&F and C/L fld. ho	
6-29	Order, fld. granting Defts. an ext. of time until 7-8-77 to present Defts. proposed F&F and C/L. (AEB-J) cps mld. ho	
6-30	Deft. First Natl. Bank and Trust Co. of Tulsa, objection to F/F & C of L., submitted by Pltf. fld. ho	
7-11	Income & Expense report for June, 1977, filed. g	
7-12	June report of Trustee in Possession, filed. g	
8-2-77	Findings of Fact and Conclusions of Law, filed. (AEB-J)b cps mld	
8-2-77	Judgment, filed & entered, that Judgment be entered in favor of the defendants, Maple Leaf Apartments, Ltd, Broken Arrow Mall, Inc., Owen D. Young & Robert L. Latch, d/b/a Young & Latch Invest., quieting title in & to said defts as to the real property involved herein & that Judgment be entered against Nellie Atkins Armstrong & Ruskin Armstrong decreeing that they have no right, title, estate, lien, claim or interest in said real property, & they are perpetually enjoined from interfering with the possession & quiet enjoyment of the said real property. FURTHER ORDERED that the trustee in possession of the shopping center & the apartment complex immediately deliver peaceable possession of real property & improvements to the respective owners & render to the Court within 15 days a written account of all acts of receipts & disbursements. FURTHER ORDERED that the deposits with the Clerk of this Court of all monies received by the trustees be hereafter distributed & disbursed pursuant to further order of the Court. FURTHER ORDERED that defendants & cross-complainants recover from plaintiff judgment for all their costs expended herein. (AEB-J)b cps mld	
8-5-77	July report of Trustee in Possession, filed. g	
8-5 1	Notice of appeal by pltf. from judg. of 8/2/77, filed. rm-copy to USCA	
8-5	Bond for costs on appeal (\$250 cash), filed. rm	
8-5	Designation of record on appeal by pltf., filed. rm	
8-5	Appl. of pltf. for stay of execution of judg. and for supersedeas bond, filed. rm	
8-9	Bill of Costs, filed in the amt. of \$4,717.50. jj	
8-10	Income & Expense Rpt. for July, 1977, filed. g	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE 1977	NR.	PROCEEDINGS	
8-10		Order fixing supersedeas bond, fld. It is ordered that supersedeas bond be fixed in the sum of \$3,750.00 by Surety or the sum of \$7,500.00 by real property bond. It is further ordered that upon the posting of such bond by the Pltf. that the judgment heretofore entered on 8-2-77 shall be completely superseded and that upon the posting and approval of such bond by the Clerk of this Ct. that the Trustees in possession shall continue to manage the properties involved in this action and preserve the funds as they have done heretofore, maintaining their rents and profits in interest bearing accounts as they have heretofore, holding and preserving the same pending the final resolution of the appeal prosecuted by the Pltf. (AEB-J) cps to J. Baker. ho	
8-12		Bill of Costs of Royce H. Savage, fld. Total \$2,533.33. ho	
8-12		Pltf. amended designation of record. fld. ho	
8-12		Bill of Costs of James D. Groves fld., Total \$4,006.40. ho	
8-16		Costs Taxed in the amt. of \$2,533.33 in favor of Deft. Maple Leaf Apt., & Sackman-Gilliland. (JCS-Clk) ho	
8-16		Costs taxed in the amt. of \$4,006.40 in favor of Deft. Young and Latch Investments. (JCS-Clk) ho	
8-16		Costs taxed in the amt. of \$4,717.50 in favor of Deft. Sackman-Gilliland Corp. (JCS- Clk) ho	
8-18		Defts. Maple Leaf Apts. Ltd., Broken Arrow Mall Inc., Owen D. Young and Robert L. Latch, Young & Latch Investments, Firstul Mortgage Co., Sackman-Gilliand Corp., First Natl. Bank & Trust Co. of Tulsa, Hamilton Investment Trust, & H. Harold Becko, counter-designation of record fld. ho	
8-19		Accounting of Robert L. Latch, Trustee in possession, filed.k	
8-19		Pltf. appl. for leave to file Defts. proposed Findings of fact & conclusion of law. fld. ho	
8-19		Pltf. mot. to review taxation of costs with brief. fld. ho	
8-23	MO	It is ordered by the Ct. that the Defts. Sackman-Gilliand Corp., Maple Leaf Apts., & Young & Latch Investments, file a responsive brief w/in 10 days to Pltf. mot. to review taxation of costs. (AEB-J) cps mld. ho	
8-24		Defts' response to Pltf. appl. for leave to file Defts. proposed findings of fact & conclusions of law. fld. ho	
8-25		Order, filed, that the appl. for leave to file defts' proposed F/F and C/L filed by pltf. is denied. (AEB-J)k cps mld	
8-26		Response of Sackman-Gilliland Corp. & Maple Leaf Apt. Ltd. mot. to review taxation of costs. fld.ho	
8-30		Pltf. Supersedeas bond, fld. received \$3,750. cash & deposited in registry of the Ct. ho	
9-1		Response of deft. Young & Latch to pltf's mot. to review taxation of costs, filed.k	
9-1		Letter from 10th Circuit, assigning No. 77-1680, filed. rm	
9-7		Appeal Record (13 vols.) sent to USCA. g	
9-9		Income & expense report for August 1977. fld. ho	
9-14		August report of Trustee in possession. fld. ho	
9-23		Order of 10th Circuit, filed, denying pltf. mo/include F&R in appeal record. rm	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
10-14		September Report of trustee in possession. fld. ho	
10-17		Maple Leaf Center income & expense report for September, 1977. fld. ho	
10-20		Trustee mot. for order authorizing the expenditure of Funds. fld. ho	
		O to J setting hrg.	
10-25		Order setting for hrg. appl. for trustee for order authorizing expenditure of funds, fld. hrg. set for 11-1-77 at 10:00 a.m. (AEB-J) cps	
		mld. ho	
11-1	MO:	The parties having advised the Court that they have agreed on an order authorizing expenditure of funds set for hearing before the Court on 11-1-77, & that a formal order will be submitted formalizing the terms of execution by the Court, IT IS ORDERED that the hearing on application of trustee for order authorizing expenditure of funds be and the same is hereby stricken from the hearing set for this date. (AEB-J) b parties notified by counsel	
11-9		October report of trustee in possession. fld. ho	
11-14		Income & Expense report for Oct. 1977 of Maple Leaf Center, fld. ho	
11-23		Order, fld. authorizing Trustee to invest funds in time deposit account. (AEB-J) ho cps to movant.	
11-23		Order, fld. on Trustees mot. for expenditure of funds. (AEB-J) cps to movant. ho	
12-6		Maple Leaf Center Income & Expense rpt. for Nov., 1977, filed. g	
12-14		November report of trustee in possession. fld. ho	
1978			
1-5		Maple Leaf Center Income & Expense rpt. for Dec., 1977, filed. g	
1-10		December report of Trustee in possession. fld. ho	
2-9		January report of Trustee in possession, filed. k	
2-16		January, 1978 Income & Expense report, filed. g	
3-6		February report of Income & Expense, filed. g	
3-15		February Report of Trustee in Possession, filed. k	
4-10		March Report of Income & Expense, filed. g	
4-19		March report of trustee in possession, fld. ho	
5-17		April Report of Income & Expense, filed. g	
5-18		April report of trustee in possession, fld. ho	
6-13		May report of Income & Expense, filed. g	
6-26		May report of trustee in possession, filed. g	
7-17		June, '78 Income & Expense report, filed. g	
7-19		Trustee mot. for order authorizing the expenditure of funds, re: Pioneer Fence Co. (\$1,800.00) fld. ho	
7-19		Order, fld. on Trustees mot. for expenditure of funds, It is ordered that the Trustee is authorized to contract with Pioneer Fence Co. of Broken Arrow, OK in the sum of \$1,800.00 for the construction of an opaque fence. (AEB-J) ho c/m to trustee	
8-8		June report of Trustee in possession, fld. ho	
8-21		July report of Income & Expense, filed. g	
8-22		July report of Trustee in Possession, fld. ho	
9-8		August report of Income & Expense, filed. k	
9-25		August Report of Trustee in possession, fld. ho	
10-11		Sept. report of Income & Expense, filed. g	
10-13		Sept. Report of Trustee in Possession, fld. g	
11-2		Order, filed, that William H. Mattoon, Trustee, is authorized to enter into a contract w/ Denton Construction, Mounds, OK, in sum of \$13,400 for improvements in Maple Ridge Addition. (AEB-J) k cps to Mattoon	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF Armstrong		DEFENDANT Maple Leaf	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE 1978	NR.	PROCEEDINGS	
11-9		October report of Income & expense, filed.k	
11-16		October report of Trustee in possession, fld. ho	
12-19		November report of Trustee in possession, fld. ho	
<u>1979</u>			
1-18		December report of Trustee in possession, fld. ho	
2-12		January report of Trustee in possession, fld. ho	
3-7		February Income & Expense report, filed. g	
3-9		February Report of Trustee in Possession, filed.k	
4-6		March Report of Trustee in Possession, filed.lm	
4-19		March income & expense report, filed. g	
5-8		APRIL REPORT of Trustee in possession, fld. ho	
5-9		APRIL REPORT of Income & Expense. g	
6-11		MAY REPORT of Income & Expense. g	
6-18		MAY REPORT of Trustee in possession. ho	
7-9		JUNE REPORT of Income & Expense. g	
7-30		JUNE REPORT of Trustee in possession. g	
8-9		JULY INCOME & EXPENSE REPORT. G	
8-15		JULY REPORT OF TRUSTEE IN POSSESSION. ho	
9-10		AUGUST INCOME & EXPENSE REPORT. ho	
9-19		AUGUST Report of Trustee in Possession. g	
10-9		SEPT. REPORT of Income & Expense. g	
10-16		SEPT. report of trustee in possession. rm	
11-5		OCOTBER INCOME & EXPENSE REPORT. ho	
11-20		OCTOBER REPORT of Trustee in Possession.jc	
12-10		NOVEMBER INCOME & EXPENSE REPORT. ho	
12-20		NOVEMBER Report of Trustee in Possession. g	
<u>1980</u>			
		1979	
1-10		DECEMBER/INCOME & EXPENSE REPORT. ho	
1-16		DECEMBER Report of Trustee in Possession. g	
2-6		JANUARY Income & Expense report. g	
2-21		JANUARY REPORT of Trustee in Possession. g	
3-13		FEBRUARY Income & Expense report. g	
3-14		FEBRUARY REPORT of Trustee in Possession. g	
4-7		MARCH Report of Income & Expense. g	
4-15		MARCH Report of Trustee in Possession. g	
5-9		APRIL Report of Income & Expense. g	



## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1980			
5-20		APRIL Report of Trustee in Possession.jc	
5-27		MANDATE & OPINION of Tenth Circuit spread of record, as follows: (1) judgment affirmed as to all relief granted defts. in 2/3 interest in the 120-acre tract in controversy which pltf. acquired from her brothers & for the reasons set forth in this Court's opinion; and (2) affirmed as to the 1/3 interest which pltf. acquired in the land in controversy from her father, but only insofar as that Court's judgment directs the dismissal of pltf's complaint & not as to the affirmative relief that Court granted to defts.hm	
5-28		ORIGINAL RECORD rec'd from USCA. (13 vol.)hm	
6-6		JUNE Report of Income and Expense.jc	
6-11		MAY Report of Trustee in Possession.jc	
7-2		APPLICATION of Trustee for order nunc pro tunc allowing trustee to increase management fee,mm	
7-8		ORDER, nunc pro tunc allowing trustee in possession to increase management fee.(HDC-J)mm. c/m	
7-9		JUNE report of income & expense. hm	
8-1		JUNE REPORT of Trustee in Possession. ho	
8-7		JULY REPORT of income & expense.mm	
8-13		APPLICATION of Trustee Mattoon for order allowing Trustee in possession to increase management fee.mm	
8-18		JULY REPORT of Trustee in possession. ho	
8-21		LETTER from 10th Cir., advising that petition for writ of cert. was filed w/Supreme Court on August 12, 1980, and assigned No. 80-210.rm	
8-21		ORDER, the management fee of the trustee be increased 6% of gross rental income and be effective for rents received from the 1st day of July. Also that remaining provisions of order of 2-27-75 be the same and in full force until further order of the court. (HDC-J)mm copies mailed to movant.	
8-27		AFFID. OF MAILING by Wm. H. Mattoon, Trustee re: Order of 8-21-80. ho	
9-9		AUGUST report of income & expense. rm	
9-19		AUGUST REPORT of Trustee in possession.mm	
10-15		SEPTEMBER REPORT of income & expense. rm	
10-21		SEPTEMBER REPORT of Trustee in possession.k	
10-29		LETTER from 10th Cir., that petition for writ of cert. was denied by Supreme Ct. on 10/14/80.rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
<u>1980</u>		
11-19	OCTOBER REPORT OF TRUSTEE IN POSSESSION.mm	
11-24	OTCTOBER REPORT of income and expense.mm	
11-26	MO: CASE SET FOR status conf/, Fri., 12/19/80 at 2 p.m.' Parties are directed to file Status Memo with the Court on or before 12/11/80. (HDC-J)rm-ltr	
12-15	LETTER from Royce Savage, counsel for deft. Sackman-Gilliand, re status memo. rm	
12-18	LETTER from counsel for deft., Abercrombie, Pedigo & Smith, Inc. re status. rm	
12-18	NOVEMBER REPORT of Trustee in possession.k	
12-18	NOVEMBER INCOME & EXPENSE REPORT.k	
12-19	LETTER from counsel for defts., Young & Latch dba Young & Latch Investments, re status. rm	
12-19	LETTER from counsel for defts. The First Natl. Bank & Trust Co.of Tulsa and Firstul Mortgage Co. re status. hm	
12-19	Min: HRG. on pltf. mo/review tax. of costs & status conf. Daily copy & appraisers fees were appropriate. Trustees fees disallowed as costs. Final acctg being prepared to terminate trustees. Various cross actions still pending between defts. Parties to prepare final order & report terminating trustees and disbursing monies. Final report to be filed by 1/5/81. Case to be set for addl. conf. for 3/2/81 at 1 p.m. Status reports by 2/23/81. Pltf. counsel excused from further proceedings but subject to orders of Ct. Savage to prepare Order to include disbursement of costs held by clerk in prorated manner. (HDC-J) (VM-cr)rm	
<u>1981</u>		
1-7	APPLICATION of Trustee to extend time in which to file final report.k (O)	
1-8	ORDER on 12-19-80 hrg. that Court Clerk disburse \$2,076.50 to Royce H. Savage, \$1,115.50 to William H. Mattoon, and \$558.00 to William B. Jones. (HDC-J)k cps by Savage	
1-8	ORDER granting Trustee until 1-25-81 to file his final account. (HDC-J)k cps/mvt	
1-9	MO: CASE <u>stricken</u> from status conf. hrg. of 3/2/81 and <u>reset</u> for Mon., 3/9/81 at 1 p.m. (HDC-J)rm-ntc	
1-13	APPLICATION of trustee to extend time in which to file final report. (O) pt	

DATE	PROCEEDINGS	Date Order or Judgment Note
1981		
1-15	ORDER extending time for trustee to file final report until 1-25-81. pt cps mvt (HDC-J)	
1-26	FINAL ACCOUNT AND REPORT OF TRUSTEE, Latch; application for approval of final account and report of trustee; application for allowance of indebtedness of trustee; application for order of distribution and discharge of trustee.nd <i>copy to Judge</i>	
1-28	FINAL REPORT of trustee in possession. pt (0)	
1-28	DECEMBER REPORT of trustee in possession. pt	
2-6	ORDER discharging trustee & exonerating fiduciary bond. (HDC-J) pt cps/mld	
3-9	STATUS CONF held; defts to file status report 4/22/81; additional status conf to be held 4/27/81 at 1:00 pm.ntc/mld (HDC-J)am	
3-17	JUDGMENT Entered against the pltf. and in favor of all defts.action is hereby dismissed.(HDC-J) cps/mld. nd	
4-23	STATUS REPORT of 3rd party defts. nd	
4-27	Min: STATUS CONF. Re ctrclaim of Maple Leaf v. B.A. Mall & Becko - oral appl/dismiss wo/prej. granted. Judge Savage to prepare formal order. Ctrclaim of Abercrombie v. Maple Leaf - awaiting state foreclosure action. Ctrclaim of Young & Latch v. Whitebook - working on. Ctrclaim of Hamilton v. Brown - Order dismissing claims signed. Progress rept. by 6/29/81. Case set for further conf. Thurs., 7/9/81 at 1:00 p.m.(HDC-J) (V.Mickey-CR)rm	
4-27	ORDER entered dismissing action of Hamilton v. Brown w/prej., said parties to each bear own costs.(HDC-J)rm-c/m	
5-1 ✓	ORDER dismissing, w/o prej. cross-claim of Deft. Sackman-Gilliland Corp. against Defts. Broken Arrow's Mall, Inc. & Harold Becks, & Pltf. Nellie Atkins Armstrong. (HDC-J) pt cps/mld (ENTERED)	
6-30	STATUS REPORT of Young & Latch. rm (ltr. form)	
6-30	STATUS REPORT of 3rd pty defts Brown & Whitebook. jc (ltr.form)	
7-9	SUPPLEMENTAL account & report of Trustee Robert L. Latch. hm	
7-9	STATUS CONF. HELD. Ctrclaim of Abercrombie v. Maple Leaf still pending (State Court foreclosure). Young & Latch matter against Whitebook settled. Order dismissing & discharging Trustee to be submitted by Mr. Jones. Case set for further conf., Thurs., 10/1/81 at 1:00 p.m.(HDC-J) (V.Mickey-cr)rm - ntc	

## D. C. 110A Rev. Civil Docket Continuation

DATE 1981	PROCEEDINGS	Date Order or Judgment Noted
7-10	ORDER approving final & supplemental account & report of Trustee, Robert L. Latch, allowing indebtedness of Trustee, directing distribution of funds & discharge of Trustee. (HCD-J) pt c/mld	
7-16	STIPULATION of Manuel Brown, third pty pltf & C. A. Whitebook, third pty deft re dismissal. (O to J)hm	
7-16	STIPULATION of Young & Latch Inv., third pty pltf & Manuel Brown, third pty deft re dismissal. (O to J)hm	
7-17	ORDER granting stipulation of 3rd party Pltf., Manuel Brown, against 3rd party Deft., C. A. Whitebook; case is dismissed w/prej. & each party to bear his own costs. (HDC-J) pt cps/mld	
7-17	ORDER granting stipulation of 3rd party Pltf., Young & Latch Investments, against 3rd party Deft., Manuel Brown; case is dismissed w/prej. & each party to bear his own costs. (HDC-J) pt c/mld	
9-24	STATUS ltr. of counsel for Abercrombie, Pedigo & Smith, with req/for cont. of conf. heretofore set for 10/1/81. rm	
9-28	MO: Upon ltr. req. of counsel for Abercrombie, etc. to cont. status conf. of 10/1/81, same is granted. Status conf. is to be set at later date after first of Jan., 1982. (HDC-J)rm-Tips phoned to advise other counsel	
1-5-82	COUNSEL for deft. Abercrombie to file status rept. w/Court by 1/15/82.rm	
1-8	STATUS REPORT ltr. recd. from R. Tips, req. matter passed to 6/1/82.rm	
4-20-82	APPLICATION of Pltf. to disburse appeal bond monies. ho O to J.	
4-22	ORDER to disburse to Jay C. Baker, pltf atty, the sum of \$250.00. cash bond. (HDC-J)a	
5-28	STATUS ltr. recd. from Abercrombie, Pedigo & Smith; working on settlement. Matter advanced to 8/1/82. rm	
1984 1-20	MOTION of deft. Abercrombie, Pedigo & Smith, to dismiss cross-complaint.rm(O)	
1-23	ORDER, entered, allowing Deft. Abercrombie, Pedigo & smith to dismiss cross-compl. (HDC-J) pt cps/mld	
1-24-84	DEPOSITIONS & exhibits returned to parties. tj	

DATE	PROCEEDINGS	Date Order or Judgment Note